

Kelly Hampton - 6/3/10

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PATTY BEALL, MATTHEW)
MAXWELL, TALINA MCELHANY)
AND KELLY HAMPTON,)
INDIVIDUALLY AND ON BEHALF)
OF ALL OTHER SIMILARLY)
SITUATED,)

Plaintiffs,) 2:08-CV-422 TJW

VS.)

TYLER TECHNOLOGIES, INC.)
AND EDP ENTERPRISES, INC.,)

Defendants.)

ORAL DEPOSITION OF

KELLY HAMPTON

JUNE 3, 2010

ORAL DEPOSITION OF KELLY HAMPTON, produced as a
witness at the instance of the DEFENDANTS, and duly
sworn, was taken in the above-styled and -numbered cause
on June 3, 2010, from 10:54 a.m. to 1:36 p.m., before
Crystal Greer, CSR in and for the State of Texas,
reported by machine shorthand, at the law offices of
Sloan, Bagley, Hatcher & Perry Law Firm, 101 East Whaley
Street, Longview, Texas, 75601, pursuant to the Federal
Rules of Civil Procedure.

Osteen Reporting Services (817) 498-9990

EXHIBIT 7

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20 REPORTER'S NOTE

21 Uh-huh = Yes - Affirmative response

22 Huh-uh = No - Negative response

23 Quotation marks are used for clarity and do not
24 necessarily indicate a direct quote.

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1 A. Salary.

2 Q. And has that always been the case since you've
3 been employed by the West Rusk County School District?

4 A. Yes, sir.

5 Q. To whom do you report at your current employer?

6 A. The superintendent.

7 Q. Who is that person?

8 A. Tommy Alexander.

9 Q. And has he been your supervisor throughout the
10 tenure of your employment at the West Rusk County School
11 District?

12 A. No, sir.

13 Q. There have been different superintendents?

14 A. Yes, sir.

15 Q. How long has Mr. Alexander been the
16 superintendent?

17 A. Since November.

18 Q. Who was it before Mr. Alexander?

19 A. Mike King.

20 Q. And your tenure of employment with the West
21 Rusk County School District is what? You started in
22 2007?

23 A. Yes, sir, October of 2007.

24 Q. And prior to that time, you were employed by
25 Tyler Technologies?

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1 A. Yes, sir.

2 Q. And just for purposes of the deposition and
3 that we're on the same page, Tyler Technologies, do you
4 understand, took -- acquired a company called EDP
5 Enterprises?

6 A. Correct.

7 Q. And so previous to that corporate acquisition,
8 you were employed by EDP Enterprises, correct?

9 A. Yes, sir.

10 Q. And you were employed by EDP Enterprises from
11 -- beginning in 2004?

12 A. Yes, sir, March of 2004.

13 Q. Okay. How -- and I understand that you
14 would've only been employed after the Tyler acquisition
15 for a month or so?

16 A. Right.

17 Q. Did your job change at all during that month
18 after the Tyler acquisition in the fall of 2007?

19 MS. BAGLEY: Object to the form.

20 You can go ahead and answer. I'm just
21 preserving the objection for the record.

22 THE WITNESS: Okay.

23 A. The job title changed, but the job duties did
24 not.

25 Q. (By Mr. McKeeby) The job title -- let me make

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1 sure I understand correctly -- changed from client
2 liaison to implementation specialist?

3 A. Yes, sir.

4 Q. And how were you made aware of the change in
5 the job title?

6 A. The implementation manager informed us that our
7 title would change --

8 Q. And --

9 A. -- to be consistent with the other Tyler
10 Technology divisions.

11 Q. Okay. Consistent with the way they called that
12 position?

13 A. Yes, sir.

14 Q. And who was the implementation manager that you
15 mentioned?

16 A. Chandra Robins. C-H-A-N-D-R-A; Robins,
17 R-O-B-I-N-S.

18 Q. And was Ms. Robins your supervisor at the time?

19 A. Yes, sir.

20 Q. And was she always your supervisor during the
21 tenure of your employment with EDP and then Tyler?

22 A. We actually started on the same day. When I --
23 she became my supervisor within the first year.

24 Q. I understand that you have produced time
25 records in this case?

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1 A. Yes, sir.

2 Q. Was there anything about how you completed
3 those time records that changed after the Tyler
4 acquisition in the fall of 2007?

5 A. It was my understanding that they didn't
6 require time sheets.

7 Q. Okay. So "they" being Tyler?

8 A. Tyler, yes. I'm sorry.

9 Q. So do I understand from that that you,
10 specifically in your job for that month or so while you
11 were in Longview working for, now, at that point, Tyler
12 Technologies -- did you no longer keep time sheets
13 during that, roughly, month period?

14 A. I believe that's correct.

15 Q. We have them here. And so we'll go over
16 them in a second --

17 A. Okay.

18 Q. -- to confirm that, if we need to.

19 A. It's been a long time.

20 Q. Yeah. I understand that.

21 Do you recall any -- now, you said your
22 understanding was that Tyler didn't require time sheets.
23 Are you recalling some specific instruction that you
24 received or a memorandum or something like that that
25 would lead you to make that statement?

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1 A. I recall that being a question in a staff
2 meeting because time accounting wasn't something that
3 anyone enjoyed doing. I recall someone asking if we had
4 to continue with the time accounting, and we were told
5 no.

6 Q. Okay. And this was in a staff meeting?

7 A. Correct.

8 Q. And when you say a "staff meeting," who
9 would've been at that staff meeting?

10 A. That would've been the EDPRO implementation
11 department.

12 Q. And "EDPRO" is the name of the software?

13 A. Correct.

14 Q. And that's -- the "ED" part of that stands for
15 "education"?

16 A. Correct.

17 Q. And that's distinct from like financial
18 software?

19 A. At that -- when I went to work for EDP, it was
20 all school financial software. But they had a COBOL
21 based software, and then they had a Windows based
22 software. And we were more or less segregated.

23 Q. Okay.

24 A. The EDPRO department worked downtown. The
25 other software departments worked on Collins Circle.

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1 Q. Okay. So was the EDPRO software, was that
2 Windows based or --

3 A. Correct.

4 Q. Okay. So who were the other EDPRO implementers
5 that were in this -- would've been in this staff meeting
6 at that time?

7 A. Richard Fritz, Chandra Robins, Talina McElhany,
8 Delana Offord. Now I've got to really rack my brain.
9 There would've been support personnel. And at this
10 time, I don't remember which ones were still working
11 there at that time.

12 Q. Okay. Was this just a regular staff meeting
13 that occurred?

14 A. Yes, sir. We had one weekly.

15 Q. And was it Ms. Robins that told the group that
16 they would no longer have to keep their time?

17 A. I believe it was Mr. Fritz.

18 Q. What was his position?

19 A. He was actually considered a vice president.

20 Q. Would he have been above or below Ms. Robins in
21 terms --

22 A. Above.

23 Q. -- of the company hierarchy? Above?

24 A. Yes, sir, above.

25 Q. Did Ms. Robins report to Mr. Fritz?

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1 A. Correct, some of that time would've been
2 reflected.

3 Q. Okay. Now, you're slipping up a little bit in
4 terms of talking over me. So if you'd please wait until
5 I'm finished, if you would. Thank you. And I'll try to
6 do the same.

7 All right. Okay. The travel that you did,
8 did that change from the time that you were a trainer to
9 a client liaison?

10 A. Yes, sir. It was less.

11 Q. You did less travel as a client liaison?

12 A. Yes, sir.

13 Q. Let me make sure I understand the dates. What
14 were the dates that you were a trainer? If you need to
15 look at your declaration, that's fine. I'm not sure it
16 says.

17 A. (Witness peruses documents).

18 Q. I'll tell you that it doesn't. So I'm going to
19 have to ask you based on your memory.

20 A. Oh, my.

21 Q. And if you started work -- if you started work
22 in -- what did we agree -- March of 2004 and you left in
23 September of 2007 -- did we say September or October?

24 A. October.

25 Q. -- October of 2007 --

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1 MS. BAGLEY: If you can remember when you
2 switched to client liaison, that's probably really the
3 only -- and we can figure out the rest from there.

4 Q. (By Mr. McKeeby) Yeah. When did you switch to
5 client liaison? That's --

6 MR. MCKEEBY: Thank you, Laureen.

7 A. I'm going to say approximately a year before I
8 left.

9 Q. (By Mr. McKeeby) Okay. So let's say probably
10 around the fall of 2006?

11 A. Correct.

12 Q. Okay. And was that a promotion?

13 A. No, sir.

14 Q. What was the occasion for you being moved from
15 a trainer to a client liaison? Do you want me to ask a
16 better question?

17 A. Correct, please.

18 Q. How were you informed that you were moving to
19 that position or were -- well, let me ask you that that
20 way. Maybe that will help.

21 A. There was a position available.

22 Q. Did you apply for the position?

23 A. I don't think I had to actually fill out an
24 application. But I expressed an interest --

25 Q. Expressed an interest.

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1 A. -- in the open position as client liaison. I
2 was very interested in being involved in verifying the
3 data, the number crunching of it.'

4 Q. And to whom did you express that interest?

5 A. Chandra Robins and Richard Fritz.

6 Q. Did someone leave the client liaison position,
7 then it became opened?

8 A. Correct.

9 Q. Do you remember who that was?

10 A. Lisa White.

11 Q. Okay.

12 A. That might help with determining when I became
13 a client liaison.

14 Q. Okay. Well, Laureen and I can go back and
15 figure that out.

16 All right. So you told Chandra and Richard
17 that you were interested in moving into that role?

18 A. Correct.

19 Q. And they moved you into that role?

20 A. Yes, sir.

21 Q. Did you have to go through any training before
22 you did that?

23 A. No, sir.

24 Q. I mean did you go into any -- did you do -- did
25 you have to be retrained to do the client liaison

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1 position?

2 A. No, sir.

3 Q. Were some of the duties of the client liaison

4 position the same as the trainer duties?

5 A. Yes, sir.

6 Q. But there were some duties that were different?

7 A. Correct.

8 Q. And that required less travel?

9 A. Yes, sir.

10 Q. Did it require any travel?

11 A. Yes, sir, to additional -- I meant -- I'm sorry

12 -- to the planning meeting as far as the initial

13 planning with the school district.

14 Q. Okay. But is it fair to say as a client

15 liaison, you did not do any of the customer training

16 that I assume that you did as a trainer?

17 A. I did a little bit.

18 Q. But less?

19 A. But -- yes, definitely less.

20 Q. And as a client liaison, you were not at the

21 customer's facility when they transitioned and went live

22 with EDP software?

23 A. Correct.

24 Q. But as a trainer, you were there?

25 A. Yes, sir.

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1 Q. What was it about the client liaison position
2 that made you interested enough to express the interest
3 that you did to Ms. Robins and Mr. Fritz?

4 A. I have accounting experience, and I'm very
5 interested in numbers and data verification. And that
6 interested me, making sure that all of the data was
7 accurate.

8 Q. And when you talk about the "data," you're
9 still talking about the data that's part of the
10 conversion from the customer's previous systems to the
11 EDPRO system?

12 A. Yes, sir.

13 Q. And only the EDPRO system? That's the only one
14 you worked with?

15 A. Yes, sir.

16 Q. The work that you did at home that you
17 described where you would study updates to the software
18 or updates to the manual, how often would you estimate
19 that occurred; once a month, once every two months, more
20 than that?

21 A. Is the question how often would I take work
22 home?

23 Q. Yes.

24 A. I would say three to four times a month.

25 Q. And when would you do it; on the weekends?

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1 you know, your job.

2 A. Okay.

3 Q. So don't be afraid of not being too technical
4 with me. But what -- when you say converting the
5 customer's data, what does that mean?

6 A. Gathering data from the customer, requesting --
7 more or less being a go-between between the programmers
8 and the customer.

9 Q. Okay. And --

10 A. Very similar to the client liaison position.

11 Q. At least with respect to that function?

12 A. Correct.

13 Q. Okay. So what type of data would you be
14 gathering from the customer?

15 A. The account numbers that they currently used,
16 the number of bank accounts that they operated, their --
17 all of their vendor information. And I'm just speaking
18 for the finance application.

19 Q. Right.

20 A. There were lots of other aspects as far as the
21 human resource information.

22 Q. Were you involved in getting that information
23 as well?

24 A. No, sir. I would also help gather their budget
25 information, fixed assets.

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1 Q. And obviously, this process of gathering the
2 data from the customer occurred after the customer had
3 made the decision to move from its existing software to
4 EDPRO?

5 A. Yes, sir.

6 Q. And --

7 A. Can I mention another -- another --

8 Q. Yes.

9 A. -- aspect would be to set up -- the trainers
10 would set up all of the users that the district would
11 have using the software.

12 Q. Okay. That's a function that's a little bit
13 different from just gathering the data?

14 A. Correct.

15 Q. But that's part of the conversion process?

16 A. Correct. And configuration, setting up new
17 users.

18 Q. When you use the term "configuration," is that
19 synonymous with setting up new users --

20 A. Yes, sir.

21 Q. -- or is that different?

22 A. It's synonymous with setting up all of the
23 general parameters that would need to be in place.

24 Q. Okay. All right. So let's talk about
25 gathering the data from the customer. How would you go

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1 about doing that? Would you sit down with the customer
2 and talk about the different types of information and
3 how they stored information and communicated data?

4 A. That would be communicated through the client
5 liaisons and the project manager during the conversion
6 planning meeting. And then we, as trainers, would also
7 be in contact via telephone or e-mail --

8 Q. Okay.

9 A. -- with information that we would need to set
10 up parameters.

11 Q. Okay. I want to focus on your job as a
12 trainer --

13 A. Okay.

14 Q. -- and what you did to gather the information,
15 which you -- this -- you talked about the conversion
16 planning meeting. I take it as a trainer, you wouldn't
17 attend that?

18 A. Correct.

19 Q. But you would later on as a client liaison?

20 A. Correct.

21 Q. Okay. Now, as a trainer, your role in
22 gathering data from the customer was what?

23 A. Over the telephone --

24 Q. Okay.

25 A. -- or via e-mail.

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1 Q. And would this be like during one -- who would
2 you typically be speaking to at the customer, an IT
3 person or --

4 A. The business manager at the district.

5 Q. And how did you know what -- I take it some of
6 the information gathering had been done at the
7 conversion planning stage?

8 A. Yes, sir.

9 Q. By the client liaison and the project manager?

10 A. Yes, sir.

11 Q. And how did you know what additional
12 information you needed to gather from the customer over
13 the telephone or via e-mail?

14 A. We had a checklist.

15 Q. Okay. And was that a checklist specific to the
16 particular job or was that something that was used for
17 all conversions?

18 A. For all conversions.

19 MS. BAGLEY: Object to the form.

20 Q. (By Mr. McKeeby) And so no one gave you like,
21 for example -- I'm trying to think of one that you --
22 like White Oak, no one gave you a checklist for White
23 Oak and said, "Here, use this one"? You knew which one
24 to use from your previous experience?

25 A. Correct. It was known as a conversion

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1 checklist.

2 Q. How -- was it a two-page document, one-page
3 document?

4 A. I don't recall. It was more than two pages.

5 Q. So was this then one telephone meeting that you
6 would have with the business manager where you would go
7 through this checklist of information to get the -- to
8 gather the information?

9 A. If the business manager could give us all of
10 that information in one call, yes. There would be times
11 the business manager might redirect us to the person
12 that handled their accounts payable or --

13 Q. Whatever particular example?

14 A. Exactly.

15 Q. So when you say like budget information, what
16 do you mean? What are you asking the customer for when
17 you say you're trying to get budget information?

18 A. School districts operate on certain funds.
19 They have hundreds of account codes. And so we would --
20 we would need to get a good idea of the structure that
21 they used so that we wouldn't load unnecessary
22 information.

23 Q. But specifically with respect to budget
24 information --

25 A. Uh-huh.

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1 Q. -- what type of questions would you be asking?

2 You know, what's the -- I mean "what's the budget for
3 pencils for this particular year" or --

4 A. No.

5 Q. That's too simple.

6 A. Physically, I guess we would be asking "what
7 program intent code do you use for athletics" or --

8 Q. What's a program intent code?

9 A. School districts use a string of account codes
10 that's broken down by fund function, object, sub-object,
11 program intent. It's part of their account code
12 structure. And the state allows different program
13 intent codes that you can use, so...

14 Q. So you needed to know what code they used for a
15 particular function like athletics?

16 A. Correct. And also, you can be more specific by
17 using sub-objects. Some districts do; some districts
18 don't. So we would have to find out specific
19 information to their district to customize their account
20 code structure.

21 Q. And you would do that -- you would do that
22 customization by asking questions of the business
23 manager to get that type of information?

24 A. Correct.

25 MS. BAGLEY: Object to the form.

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1 Q. (By Mr. McKeeby) Okay. Any -- was that -- have
2 we covered how you gathered information during your time
3 as a trainer through e-mail and telephone communications
4 with the business manager?

5 A. Correct.

6 Q. Any other way that you did it? You didn't do
7 any of it onsite as a trainer, the information gathering
8 anyway?

9 A. No, sir. We would have all the information we
10 needed by the time we went onsite.

11 Q. To do the training?

12 A. Yes, sir.

13 Q. Okay. So just kind of taking a big picture,
14 when you went out to do the training -- and you said
15 sometimes you would do that individually, but more often
16 you would do it with a group?

17 A. Yes, sir.

18 Q. That would be after the conversion has
19 occurred?

20 A. No, sir. It would be after maybe a preliminary
21 pull of their data because we like to train with that
22 customer's data if possible because it looked more
23 familiar to them.

24 Q. I see. So --

25 A. But it would not be the final conversion.

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1 Q. Okay. Why -- and why wouldn't you wait for the
2 final conversion to do the training?

3 A. Because we always provided the customer with
4 what we referred to as the training database, that they
5 could attend our training and then practice on more or
6 less a dummy database to get familiar with the product
7 prior to the final conversion when they would have to
8 use it daily.

9 Q. So when you're using the term "final
10 conversion," is that the same thing as "go live"?

11 A. Yes, sir.

12 Q. Okay. And so I guess throughout the process of
13 training, before the go-live date, there's additional
14 conversion that is taking place?

15 A. Yes, sir.

16 Q. Is that based on issues that are discovered
17 during training?

18 A. Or issues discovered during conversion.

19 Q. So at that point, is that the instance where
20 you would go back to the programmer with a particular
21 issue that would need to be addressed?

22 A. Correct.

23 Q. So further conversion would occur at that
24 point?

25 A. Correct.

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1 A. Correct.

2 Q. And would you do the totals that are on the
3 right-hand column or would the system do that
4 automatically?

5 A. The system automatically did that.

6 Q. Okay. So is it fair to say that the only data
7 that you input on these time sheets is the numeric codes
8 on the left and then the number of hours in the columns
9 next to each day?

10 A. Also the "time in" and the "time out" across
11 the top.

12 Q. Okay. I see that.

13 A. I would input that data. And also, keep in
14 mind that we were told to do this in increments of a
15 quarter hour. So, you know, we would round up or down,
16 you know. It's not -- you can see it's not precise; you
17 know, 7:58 to 5:02.

18 Q. Right. You would round up or down the time in
19 and time out entries or the amounts of time for
20 particular functions or both?

21 A. Both.

22 Q. And again, was that part of the training and
23 instruction that you testified to earlier?

24 A. Correct.

25 Q. So just by way of example -- and I don't expect

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1 you to remember this particular week specifically. If
2 you can, you can tell me. But this -- when it says that
3 you were there from 8:00 to 5:00 on Tuesday, it could've
4 been 7:45 to 5:15 or it could've been 8:15 to 4:45,
5 correct?

6 A. Correct.

7 Q. Okay. Now let's kind of walk through here.

8 A. Okay.

9 Q. And I'm going to direct you to a couple -- or
10 some of the entries that interested me. Look at page
11 427.

12 A. (Witness complies).

13 Q. One of the entries there is "Training via
14 WebEx"?

15 A. Yes, sir.

16 Q. What does that refer to?

17 A. That is a webinar.

18 Q. Okay. And is that a -- does that mean that you
19 would've attended the webinar or you would have given
20 the training?

21 A. I would've presented.

22 Q. And is that something that you did typically in
23 your job as -- I guess you were a trainer at this point?

24 A. Correct. Yes, sir, I did.

25 Q. Was that a function that you also did typically

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1 as a client liaison?

2 A. No, sir.

3 Q. Did you ever do that as a client liaison, WebEx
4 training?

5 A. Yes, sir.

6 Q. But just not as often?

7 A. Not as often.

8 Q. And when you're training via the WebEx, that
9 means you're doing a customer training?

10 A. Correct.

11 Q. Is that for a particular customer or a group of
12 customers on a particular topic?

13 A. It could be an individual customer or it could
14 be a group of customers on a particular topic.

15 Q. Okay. So it could be either?

16 A. Correct.

17 Q. And when you did these training sessions, would
18 you present them by yourself or would there be other
19 employees of Tyler who would also assist in the
20 presentation --

21 A. Both.

22 Q. -- or both?

23 A. Both.

24 Q. Okay.

25 MS. BAGLEY: Paulo, can we go off the

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1 A. The project manager.

2 Q. Okay. So you would have a sense going in of
3 the level of experience that that particular employee
4 may have had?

5 A. Yes, sir.

6 Q. Okay.

7 A. Because I would be told what to take with me,
8 what manuals to take with me, that sort of thing.

9 Q. Was there multiple manuals for each
10 application?

11 A. There were. There were manuals that were more
12 or less for beginners. And there were manuals that were
13 more of a condensed version.

14 Q. And was the training scheduled for a set amount
15 of time like from 3:00 to 4:00 in the afternoon or would
16 it just vary depending on how well the employee was
17 picking it up?

18 A. There would normally be a scheduled time.
19 However, sometimes the district would just say "we would
20 like someone here for a couple of days." So then that
21 would just be at the customer's discretion, what time
22 they wanted to stop for the day. If they wanted to keep
23 going, then we would keep going.

24 Q. But what if the employee just wasn't picking it
25 up? Would -- I mean in that instance, would you

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1 recommend more training or --

2 A. After I returned to the office, I might.

3 That's --

4 Q. Would that be a discussion you would have with
5 the business manager?

6 A. Correct.

7 Q. Now, the more classroom type of training that
8 involved some of these larger applications that more
9 people had to be familiar with, is it your testimony
10 that that type of training more typically would've been
11 done by more than one EDP trainer or not necessarily?

12 A. Not necessarily.

13 Q. Okay. But it would've been not -- it would've
14 been one-on-one -- not have been one-on-one training in
15 the sense that there would be multiple employees
16 receiving the training?

17 A. Correct.

18 Q. But is the training itself the same -- I guess
19 it's different in that you're not at somebody's desk?

20 A. Right.

21 Q. Is it the same in the sense that you're walking
22 them through the software as you would with a one-on-one
23 training?

24 A. Correct.

25 Q. Okay. So again, it's not like a power point

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1 that you're showing, you know, "here are the different
2 functions;" you're actually in the software walking
3 through different issues?

4 A. Right. We would actually be in the software.

5 Q. Okay. All right. The next function as a
6 trainer indicates that you would assist the client
7 liaison with verifying the customer's data after it was
8 converted. What does that mean? What would you do to
9 verify data after the conversion of that data, I guess?

10 A. There would be reports that you would run in
11 the software that they were converting from. The
12 liaison would also run the same reports in EDPRO. And
13 we would assist in comparing the two to make sure they
14 were a match.

15 Q. And this was work that was done back at the
16 office --

17 A. Yes, sir.

18 Q. -- at Longview? And how would you -- what
19 would you do to correct the data errors?

20 A. As --

21 Q. What's an example of a data error, by the way,
22 before we --

23 A. Okay. If the -- if they had multiple bank
24 accounts and the amounts didn't all convert correctly.

25 Q. And how would that error be detected; by either

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1 A. Budget, I would normally do by myself; PEIMS or
2 fixed assets because they were smaller applications.
3 And it was quite often a one-on-one training.

4 Q. And when you say "smaller applications" and
5 "one-on-one training," does that mean that there were
6 fewer people that needed to know those applications?

7 A. Correct. There would generally be one person
8 at the district that would be responsible for that duty.

9 Q. Whereas general ledger and accounts payable
10 would be functions that multiple people at the school
11 district would typically need to know?

12 A. Yes, sir.

13 Q. So those would be more kind of classroom
14 setting trainings?

15 A. Yes, sir.

16 Q. All right. Let's talk about the fixed asset,
17 just by way of example. And you said that was more
18 typically one-on-one?

19 A. Correct.

20 Q. How would you do the training? Is this -- are
21 you at someone's desk walking them through the software?
22 Are you in a classroom setting?

23 A. With one-on-one training, it would be at the
24 customer's desk.

25 Q. And when you're going on a trip -- I guess it

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1 varied as to how long you were at the customer site?

2 A. Correct.

3 Q. It could've been a day; it could've been
4 several days of a week?

5 A. The customer would schedule the amount of time
6 that they wanted to take that person away from their job
7 for us to spend with them.

8 Q. Okay. So would you get a schedule to know when
9 you were to be meeting with a particular employee?

10 A. Sometimes it would be in advance; sometimes it
11 would be the day before.

12 Q. Okay. And did you -- when you're training the
13 employee -- and again, let's go back to this one-on-one
14 example with fixed asset training -- you would be at the
15 employee's desk --

16 A. Uh-huh.

17 Q. -- and you would have the software loaded up
18 onto the system --

19 A. Uh-huh.

20 Q. -- and you're walking the employee through the
21 software?

22 A. Correct.

23 Q. You're not doing training in the sense of, you
24 know, educational power points where you --

25 A. Right.

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1 Q. -- put something on that's prepackaged? You're
2 going through the system itself?

3 A. Correct.

4 Q. And how do you -- how do you -- are you
5 actually at the desk having the employee watch or how
6 does the training in that context work or does it vary?

7 A. It varies. If it's -- it's based on that
8 person's knowledge of fixed assets. If it's a new
9 employee that's never done fixed assets before, then
10 they may watch me. And we may more or less have a
11 discussion about it prior to actually working in the
12 software.

13 Q. So --

14 A. If it's someone that's been doing fixed assets
15 for years and it's just a matter of going from one
16 software to another, then, of course, we're gonna be
17 hands-on.

18 Q. Right. So you would have a discussion with the
19 employee before you commenced the training and got a
20 better sense of the level of the employee's knowledge
21 and expertise?

22 A. I would be told that normally ahead of time. I
23 would be told "this is a new employee" or "this is
24 someone that's just going from one software to another."

25 Q. Okay. And who would tell you that?

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1 A. The project manager.

2 Q. Okay. So you would have a sense going in of
3 the level of experience that that particular employee
4 may have had?

5 A. Yes, sir.

6 Q. Okay.

7 A. Because I would be told what to take with me,
8 what manuals to take with me, that sort of thing.

9 Q. Was there multiple manuals for each
10 application?

11 A. There were. There were manuals that were more
12 or less for beginners. And there were manuals that were
13 more of a condensed version.

14 Q. And was the training scheduled for a set amount
15 of time like from 3:00 to 4:00 in the afternoon or would
16 it just vary depending on how well the employee was
17 picking it up?

18 A. There would normally be a scheduled time.
19 However, sometimes the district would just say "we would
20 like someone here for a couple of days." So then that
21 would just be at the customer's discretion, what time
22 they wanted to stop for the day. If they wanted to keep
23 going, then we would keep going.

24 Q. But what if the employee just wasn't picking it
25 up? Would -- I mean in that instance, would you

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1 recommend more training or --

2 A. After I returned to the office, I might.

3 That's --

4 Q. Would that be a discussion you would have with
5 the business manager?

6 A. Correct.

7 Q. Now, the more classroom type of training that
8 involved some of these larger applications that more
9 people had to be familiar with, is it your testimony
10 that that type of training more typically would've been
11 done by more than one EDP trainer or not necessarily?

12 A. Not necessarily.

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24 accounts and the amounts didn't all convert correctly.

25 Q. And how would that error be detected; by either

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1 you or the client liaison?

2 A. Correct, by comparing reports. As a trainer, I
3 would've just pointed out that error to a client liaison
4 and she would've worked to correct it or she would've
5 taken it to the programmers.

6 Q. Okay. So you wouldn't have worked with -- you
7 wouldn't have -- you would've just pointed the error out
8 to the client liaison and the client liaison would've
9 worked to correct the error?

10 A. Right. Or like I said -- or the client liaison
11 would've worked with the programmer.

12 Q. Right.

13 A. As a trainer, I wouldn't have corrected the
14 problem.

15 Q. Right. Okay. But you would have identified
16 the problem?

17 A. Yes.

18 Q. And that's based on comparing reports?

19 A. Yes, sir.

20 Q. For example, in the bank account example that
21 you gave?

22 A. Uh-huh.

23 Q. Is that yes?

24 A. Yes.

25 Q. The second to the last sentence of this

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1 paragraph 2 in your declaration says, "From the office,
2 I would schedule and conduct training sessions online
3 and over the telephone." Did I read that accurately?

4 A. Yes, sir.

5 Q. And does that refer to the webinar training
6 that we talked about?

7 A. Yes, sir. The webinars would require having
8 the customers on the telephone and logged into a certain
9 website.

10 Q. Okay. And then the next sentence talks about
11 answering telephone calls from customers concerning
12 their use and operation of the EDPRO software. Is that
13 what we talked about already about where customers would
14 call you during that --

15 A. Initial phase.

16 Q. -- initial phase? And how long was that? Six
17 weeks did you say?

18 A. It varied --

19 Q. Okay.

20 A. -- depending on the user.

21 Q. Okay. So that's what you're talking about in
22 that last sentence that these telephone calls would be
23 from the customers who had been converted to the EDPRO
24 software and had questions about it, they would be
25 routed to you?

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1 A. -- in the open position as client liaison. I
2 was very interested in being involved in verifying the
3 data, the number crunching of it.

4 Q. And to whom did you express that interest?

5 A. Chandra Robins and Richard Fritz.

6 Q. Did someone leave the client liaison position,
7 then it became opened?

8 A. Correct.

9 Q. Do you remember who that was?

10 A. Lisa White.

11 Q. Okay.

12 A. That might help with determining when I became
13 a client liaison.

14 Q. Okay. Well, Laureen and I can go back and
15 figure that out.

16 All right. So you told Chandra and Richard
17 that you were interested in moving into that role?

18 A. Correct.

19 Q. And they moved you into that role?

20 A. Yes, sir.

21 Q. Did you have to go through any training before
22 you did that?

23 A. No, sir.

24 Q. I mean did you go into any -- did you do -- did
25 you have to be retrained to do the client liaison

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1 position?

2 A. No, sir.

3 Q. Were some of the duties of the client liaison
4 position the same as the trainer duties?

5 A. Yes, sir.

6 Q. But there were some duties that were different?

7 A. Correct.

8 Q. And that required less travel?

9 A. Yes, sir.

10 Q. Did it require any travel?

11 A. Yes, sir, to additional -- I meant -- I'm sorry
12 -- to the planning meeting as far as the initial
13 planning with the school district.

14 Q. Okay. But is it fair to say as a client
15 liaison, you did not do any of the customer training
16 that I assume that you did as a trainer?

17 A. I did a little bit.

18 Q. But less?

19 A. But -- yes, definitely less.

20 Q. And as a client liaison, you were not at the
21 customer's facility when they transitioned and went live
22 with EDP software?

23 A. Correct.

24 Q. But as a trainer, you were there?

25 A. Yes, sir.

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1 Q. What was it about the client liaison position
2 that made you interested enough to express the interest
3 that you did to Ms. Robins and Mr. Fritz?

4 A. I have accounting experience, and I'm very
5 interested in numbers and data verification. And that
6 interested me, making sure that all of the data was
7 accurate.

8 Q. And when you talk about the "data," you're
9 still talking about the data that's part of the
10 conversion from the customer's previous systems to the
11 EDPRO system?

12 A. Yes, sir.

13 Q. And only the EDPRO system? That's the only one
14 you worked with?

15 A. Yes, sir.

16 Q. The work that you did at home that you
17 described where you would study updates to the software
18 or updates to the manual, how often would you estimate
19 that occurred; once a month, once every two months, more
20 than that?

21 A. Is the question how often would I take work
22 home?

23 Q. Yes.

24 A. I would say three to four times a month.

25 Q. And when would you do it: on the weekends?

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1 in connection with this function or was this just kind
2 of an initial stage?

3 A. It was basically just a verbal communication
4 with the programmers.

5 Q. Okay. So when you would come upon a particular
6 issue, discrepancy, or error when you were doing this
7 comparison, you would contact the programmer and advise
8 them of the particular issue, discrepancy, or error?

9 A. Yes, sir.

10 Q. Okay. Now, do I understand it correctly that
11 the training functions that you testified to as a
12 trainer you continued to do as a client liaison but just
13 to a lesser extent?

14 A. To a much lesser extent.

15 Q. Okay.

16 A. Yes, sir. At the time, I was the only one that
17 trained fixed assets.

18 Q. I see.

19 A. We didn't have someone else to do that. So if
20 a customer needed fixed assets training -- and through
21 my years of being a trainer, I developed a rapport with
22 certain customers. So if they hired a new employee,
23 they might request that I be the one to come train them.

24 Q. I see. But the type of training that you would
25 do would be the same that you talked about while you

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1 were a trainer?

2 A. Yes, sir.

3 Q. It was just a matter of they didn't really have
4 anybody else to do the fixed asset training?

5 A. Yes, sir. Or it may be another application --

6 Q. Okay.

7 A. -- budget or PEIMS.

8 Q. You did it on kind of a as-needed basis?

9 A. Yes, sir.

10 Q. And other than the conversion planning meeting,
11 would the only occasion for you to be at the customer's
12 premises while you were a client liaison be to do this
13 periodic training?

14 A. Yes, sir.

15 Q. Because you wouldn't be there when they would
16 go live?

17 A. Correct.

18 Q. And you also wouldn't be getting the same
19 support calls that you did while you were a trainer in
20 that period?

21 A. The support calls were shared --

22 Q. Okay.

23 A. -- with the client liaisons and the trainers
24 during that initial period following their going live --

25 Q. Okay.

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1 A. -- on the software.

2 Q. Okay. It says in your declaration that "if the
3 client has a software requirement that was not provided
4 by the basic software package, I would relay the
5 necessary information about specific client needs to EDP
6 Enterprises, Inc.'s software developers and they would
7 make the necessary changes to the program."

8 A. Uh-huh.

9 Q. How would you identify that the client didn't
10 have a particular software requirement or that the
11 client had a requirement that was not provided for by
12 the basic software package?

13 A. They would request it.

14 Q. How would "they" know?

15 A. Like for -- an example would be when I first
16 went to work there, EDPRO didn't have an application
17 specific for what's called activity accounting.

18 Q. Uh-huh.

19 A. It's the way the school accounts for all their
20 different activity funds. And it was something that was
21 requested quite often. And we would relay those
22 requests to the programmers. And so consequently, that
23 was developed.

24 Q. I see. By the programmers?

25 A. Yes, sir.

EXHIBIT 7